

Amendment No. 1 to SB0497

Briggs  
Signature of Sponsor

**AMEND Senate Bill No. 497**

**House Bill No. 411\***

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 57-3-101(a)(25), is amended by deleting the subdivision and substituting instead:

(25) "Wine" means the product of the normal alcoholic fermentation of the juice of dried or fresh, sound, ripe grapes, fruit, or other agricultural products, with the usual cellar treatment and necessary additions to correct defects due to climatic, saccharine, and seasonal conditions, including champagne, sparkling, and fortified wine of an alcoholic content not to exceed twenty-one percent (21%) by volume. No other product may be called "wine" unless designated by appropriate prefixes descriptive of the fruit or other product from which the same was predominantly produced, or as an artificial or imitation wine. With the exception of fortified wine, wine does not include a product to which distilled alcohol has been added, including, but not limited to, distilled spirits, as defined under federal law on the effective date of this act; and

SECTION 2. Tennessee Code Annotated, Section 57-3-101(a), is amended by adding the following as a new subdivision:

( ) "Fortified wine" means wine to which has only been added wine spirits derived from the fruit from which the wine was derived;

SECTION 3. Tennessee Code Annotated, Section 57-5-101(b), is amended by deleting the subsection and substituting instead:

(b) For purposes of this title, "beer" means products made from the normal alcoholic fermentation of malt or other cereal grains, sugar, or apple- or pear-based cider

having an alcoholic content of not more than eight percent (8%) alcohol by weight and that do not contain distilled spirits or wine as defined in § 57-3-101; provided, that at least fifty-one percent (51%) of the overall alcoholic content by weight in the finished product is obtained by the fermentation of malt, other cereal grains, sugar, apples, or pears, and no more than forty-nine percent (49%) of the overall alcoholic content by weight in the finished product is obtained by the addition of flavorings or other non-beverage ingredients containing alcohol. "Beer" does not include products or beverages containing less than one-half of one-percent (0.5%) alcohol by volume and such products are not subject to regulation or taxation pursuant to this title.

SECTION 4. Tennessee Code Annotated, Section 57-3-802(2), is amended by deleting the subdivision and substituting instead:

(2) "Wine":

(A) Has the same meaning as defined in § 57-3-101; and

(B) Does not include a product where the alcohol contained in the product is derived from distillation, other than from wine spirits used to fortify wine.

SECTION 5. This act takes effect upon becoming a law, the public welfare requiring it.